

Notice of Allowability	Application No.	Applicant(s)	
	10/014,270	FERNANDO ET AL.	
	Examiner	Art Unit	
	Yelena G. Gakh, Ph.D.	1743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview of 03/31/04.
2. ☒ The allowed claim(s) is/are 1-7 and 46.
3. ☒ The drawings filed on 07 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>03/31/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. Amendment and Remarks filed on 01/29/04 is acknowledged. Claims 1-40 are pending in the application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David P. Gloekler on 03/31/04.

Cancel **claims 8-40**.

Claim 1 (Twice amended). A manifold device for use in sample measurements, comprising:

- (a) a manifold body defining a plurality of flow cells therein, each flow cell providing a liquid flow path therethrough; and
- (b) ~~a plurality of liquid input lines, each liquid input line fluidly communicating with a corresponding one of the flow cells;~~
- (c) ~~a plurality of liquid output lines, each liquid output line fluidly communicating with a corresponding one for the flow cells, where each corresponding liquid input line and liquid output line provides a liquid flow path through the corresponding flow cell; and~~
- (d) a plurality of probes, each probe comprising a tip at least partially disposed within the manifold body, an optical fiber input line disposed within the tip, and an optic optical fiber

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output line disposed with the tip, each optical fiber input line and optical fiber output line communicating with a corresponding one of the flow cells.

Claim 46. (New) The manifold device according to claim 1 comprising a plurality of liquid input lines and a plurality of liquid output lines, each liquid input line and corresponding liquid output line communicating with a respective flow cell for at least partially defining the liquid flow path through the flow cell.

The following is an examiner's statement of reasons for allowance: the prior art of Fry(US 6580507 B2), Hutchins et al. (US 6,060,024) and Roinestad et al. (US 6,174,497 B1), as well as the additional prior art of KNAUER ("WellChrom DAD K-2700 Installation Guide", published on-line 06/06/01, available for sale prior to this date); Alitea USA ("Sensors and Detectors for FIA and SIA, published on-line 02/09/1999); FIALab Instruments ("Fiber Optic Based Flow Cells", published on-line 05/20/2000), disclosing fiber optic based flow cells, which obviously can be used in plurality and applied for dissolution measurements,

do not teach or fairly suggest a combination of fiber optical dip probes, the structure of which is recited in claim 1, and flow cells. Such combination would have not been obvious for a routineer in the art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

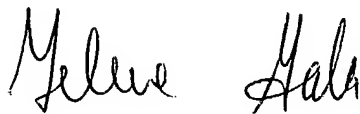
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yelena G. Gakh, Ph.D. whose telephone number is (571) 272-1257. The examiner can normally be reached on 9:30 am - 6:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill A. Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yelena G. Gakh
4/1/04

A handwritten signature in cursive script, appearing to read "Yelena Gakh", written in black ink.